

Commercial Division Certification

[Excerpt from Rules and Practices for cases assigned to the Commercial Division, Supreme Court, Erie County]

The definition of a “commercial case,” as determined by the Commercial Division of Supreme Court, is as follows:

All business and commercial disputes in which the amount at issue exceeds \$25,000,* exclusive of punitive damages, costs, and attorney fees; and exclusive of any non-commercial claims, non-commercial cross-claims, or non-commercial counterclaims.

If a commercial case does not meet the monetary threshold but may be especially suited to resolution in the Commercial Division, a motion may be made to the presiding Judge of the Division, on notice to opposing counsel, to waive said monetary threshold.

* It should be noted that the dollar amount at issue to qualify a case as Commercial may be changed from time to time in order to adjust the workload of the Court.

PLEASE CHECK APPROPRIATE BOX AND RETURN WITH RJJ

☐ I hereby certify that I have read the Rules of the Supreme Court, Commercial Division, Erie County and have determined that in the matter of _____, Index No. _____ the amount in controversy is \$25,000 or more and otherwise **qualifies** for assignment to the Commercial Division.

☐ I hereby certify that I have read the Rules of the Supreme Court, Commercial Division, Erie County and have determined that in the matter of _____, Index No. _____ the amount in controversy is below \$25,000 and **does not otherwise qualify** for assignment to the Commercial Division.

☐ I hereby certify that I have read the Rules of the Commercial Division of Erie County Supreme Court and although the matter of _____ Index No. _____ does not meet the \$25,000 monetary threshold for assignment to the Commercial Division, I have requested and been granted a **waiver** by the Court of the monetary threshold requirement.

Attorney Signature: _____

Print Name: _____

Attorney for: _____